

REMARKS/ARGUMENTS

Applicants have cancelled Claims 25-36. Applicants have amended Claims 1-5, 7, 10-12, 15, 17-20, 22, and 24. Applicants respectfully request reconsideration of pending Claims 1-24 in light of the following remarks.

Objections to the Specification and the Claims

As requested by the Examiner, Applicants have updated the specification to include the current status of the parent application. Applicants have also amended the specification to include the incorporation by reference that was included in the transmittal originally filed with the patent application.

Applicants have removed the element of Claim 1 that was objected to by the Examiner as being unclear. Applicants have amended Claim 1 to specify “a housing receiving the at least one control element in at least one of a first housing position and a second housing position corresponding to at least three operational modes.” Applicants have also amended the dependent claims to provide antecedent basis according to amended Claim 1.

Accordingly, Applicants respectfully request removal of the objections to the specification and the claims.

Claim Rejections – 35 U.S.C. § 102(b)

Independent Claim 1

Claim 1 stands rejected under 35 U.S.C. § 102(b) as being anticipated by European Patent Application Publication No. 0 169 644 (“the ‘644 reference”).

Amended Claim 1 specifies “at least one control element having a first state in which the at least one control element has a first path of motion and a second state in which the at least one control element has a second path of motion” and “a housing receiving the at least one control

element in at least one of a first housing position and a second housing position corresponding to at least three operational modes.”

The ‘644 reference discloses a latch mechanism 10 including a release lever 26 and a locking lever 40. The release lever 26 includes an aperture 27 which receives a pin 29 that is fixed to a pawl 30. The release lever 26 also includes a L-shaped slot 44 which receives a pivot pin 36. The pivot pin 36 is fixed to a downward extending arm 46 (not labeled in the drawings) of the locking lever 40. The release lever 26 is coupled to an inner door handle 12 through a control cable 14 and to an outer door handle through a rod (not shown) connected to a slot 38 of the release lever 26. The locking lever 40 pivots about a single pivot 42. The locking lever 40 is connected at one end 50 (as shown in Figure 3A) by a rod (not shown) to a key cylinder (not shown) and at the other end to the control cable 14.

Figure 3A illustrates an unlocked position in which the pivot pin 36 is located in a horizontal portion of the L-shaped slot 44, and the release lever 26 can be pivoted about the pivot pin 36 to disengage the pawl 30 from the ratchet member 24. Figure 3C illustrates a locked position in which the pivot pin 36 is located in a vertical portion of the L-shaped slot 44, and operation of the outside handle (via the rod and the slot 38 of the release lever 26) causes the pivot pin 36 to move along the vertical portion of the L-shaped slot 44 without disengaging the pawl 30 from the ratchet member 24. However, as shown in Figures 3A and 3C, the locking lever 40 always pivots about the pivot 42.

The release lever 26 and the locking lever 40 cannot be received in either or both of a first housing position (*e.g.*, coupled to the pivot 42 in a first, top position) and a second housing position (*e.g.*, coupled to the pivot pin 36 in a second, bottom position) corresponding to three operational modes. The ‘644 reference only discloses a single operational mode in which both the release lever 26 and the locking lever 40 are necessary. In other words, the ‘644 reference does not disclose that either one of the release lever 26 and the locking lever 40 could be removed to provide two additional operational modes. In addition, the release lever 26 and the locking lever 40 do not each have a first path of motion and a second path of motion. Rather, the locking lever 40 only has a single path of motion about the pivot 42.

Accordingly, the '644 reference does not disclose "at least one control element having a first state in which the at least one control element has a first path of motion and a second state in which the at least one control element has a second path of motion" and "a housing receiving the at least one control element in at least one of a first housing position and a second housing position corresponding to at least three operational modes," as specified by Claim 1. Therefore, independent Claim 1 and dependent Claims 2-24 are allowable.

Dependent Claims 2-24

Claims 2-24 stand rejected under 35 U.S.C. § 102(b) as being anticipated by the '644 reference. Claims 2-24 depend from Claim 1, and are therefore allowable for the reasons discussed above with respect to Claim 1. Claims 3-24 specify additional patentable subject matter not specifically discussed herein.

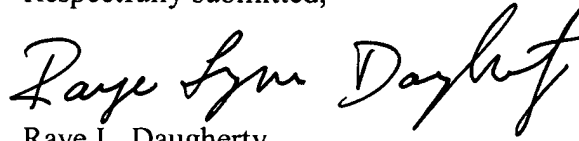
Dependent Claim 2 further specifies "wherein a first operational mode corresponds to the at least one control element occupying the first housing position, a second operational mode corresponds to the at least one control element occupying the second housing position, and a third operational mode corresponds to the at least one element occupying both the first and second positions."

As noted above, the '644 reference does not disclose that the release lever 26 and the locking lever 40 can be received in either or both of a first housing position (*e.g.*, coupled to the pivot 42 in a first, top position) and a second housing position (*e.g.*, coupled to the pivot pin 36 in a second, bottom position) corresponding to three operational modes. Rather, the '644 reference only discloses the third operational mode of Claim 2 in which both the release lever 26 and the locking lever 40 are necessary. In other words, the '644 reference does not disclose that either one of the release lever 26 and the locking lever 40 could be removed to provide the first and second operational modes specified by dependent Claim 2. Therefore, dependent Claim 2 specifies additional patentable subject matter.

Conclusion

In light of the above, Applicants respectfully request reconsideration and allowance of pending Claims 1-24.

Respectfully submitted,

A handwritten signature in black ink, reading "Raye L. Daugherty". The signature is written in a cursive, flowing style with a large, prominent "D" at the end.

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